

the Revised Civil Statutes of this State as amended by Chapter 146 of the Acts of the Regular Session of the Thirty-third Legislature be so amended as to hereafter read as follows:

Article 4000. It shall be the duty of the Game, Fish and Oyster Commissioner to collect the special tax imposed by this chapter and enforce its payment, to inspect all products so taxed and verify the weights and measures thereof, to collect all license fees, to collect all rents on locations for planting oysters, to examine or have examined all streams, lakes or ponds when requested so to do for the purpose of stocking such waters with fish best suited to such location, and he shall procure and furnish such stock fish from the nearest fishery and fish hatchery free of charge to any party or parties applying therefor. It shall be the duty of the Game, Fish and Oyster Commissioner to supply from the fish hatcheries and fisheries of this State free of charge to all parties applying therefor such number of fish for the purpose of stocking private lakes and ponds, or public waters, as may be available for distribution; provided, however, that the parties applying therefor shall pay all transportation charges on such fish and shall return to the hatchery or fishery all containers free of cost.

It shall be lawful for the Game, Fish and Oyster Commissioner of this State and his deputies to take at any time from the public fresh waters of this State all brood fish required by him in operation of such hatcheries for the purpose of propagation and culture. It shall also be lawful for the United States Commissioner of Fisheries and his duly authorized agents to take from public fresh waters of this State all brood fish necessary in the operation of Federal fish hatcheries, provided that no other fish except brood fish shall be so taken for any purpose.

Sec. 2. Be it further enacted that there is hereby accorded to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith at any time that may by them be considered necessary and proper, provided that they conduct the same within prescribed limits of the Federal fish hatcheries.

Sec. 3. It shall be unlawful for any person, firm or corporation or their agents to take, catch, seine, entrap by any means, or have in their possession any crappie or bass taken from any public fresh waters of this State from the first day of March to the first day of May of any year.

Sec. 4. If any person shall at any time catch or take from any public fresh water river, lake, bayou, lagoon, creek, pond, or other natural public artificial stream or pond of water within this State by use of any means whatsoever any crappie or bass of less than six inches in length, he shall immediately return same back into such public water; and that unnecessary injuring of such fish shall be deemed an offense under the provisions of this Act; provided that each such fish shall constitute a separate offense.

Sec. 5. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding one hundred dollars.

Sec. 6. The fact that under the present law private parties are enabled to obtain fish from the fish hatcheries of this State, and the further fact that the appropriation made by the Federal Congress for the establishment of fish hatcheries in this State will be withheld until assent is given by the Legislature of this State for the establishment of such hatchery, creates an emergency and an imperative public necessity requiring the constitutional rule that bills be read upon three several days in each house be suspended, and such rule is suspended, and that this Act be put upon its third reading and final passage and take effect and be in force from and after its passage, and it is so enacted.

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Thursday, Sept. 27, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Dean.

The roll was called, a quorum be-

ing present, the following Senators answering to their names:

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| Alderdice. | Henderson. |
| Bee. | Hopkins. |
| Buchanan of Bell. | Hudspeth. |
| Buchanan of Scurry. | Johnston of Harris. |
| Caldwell. | Lattimore. |
| Clark. | McNealus. |
| Collins. | Page. |
| Dayton. | Parr. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Strickland. |
| Gibson. | Suiter. |
| Harley. | Westbrook. |

Absent.

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| Hall. | McCollum. |
| Johnson of Hall. | Woodward. |

Absent—Excused.

Bailey.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Bailey for today on account of important business on motion of Senator McNealus.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Strickland:

S. B. No. 46, A bill to be entitled "An Act to create a more efficient road system for Trinity County, Texas, etc., and declaring an emergency."

Read first time and referred to the Committee on Roads, Bridges and Ferries.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Senate Concurrent Resolution No. 5, providing for the removal from the basement of the Capitol of Court Records.

Respectfully,

ED GRAHAM,

Acting Chief Clerk, House of Representatives.

House Bill No. 31.

The Chair laid before the Senate on second reading:

H. B. No. 31, A bill to be entitled "An Act for the protection of wild turkey, squirrels and furbearing animals in the counties of Angelina, Cherokee, Hardin, Liberty, Nacogdoches and Tyler, providing a closed season in said counties, limiting the number of wild turkeys and squirrels to be killed by any one person, providing penalties for the violation of this Act, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Collins offered the following amendments which were read and adopted seriatim:

(1) Amend the caption as follows: After the word "animals" in the first line insert the words "except all kinds of rats including musk rats."

(2) Amend the bill as follows: In Section 3 after the word "animals" insert the words "except all kinds of rats including musk rats."

Senator McNealus offered the following amendment, which was read and adopted:

Amend House Bill No. 31 by inserting in the caption after the word "Nacogdoches" the words "Dallas and Rockwall"; also in Sections one and two after the words "Nacogdoches" the words "Dallas and Rockwall."

The bill was read second time and passed to its third reading.

On motion of Senator Collins, the constitutional rule requiring bills to

be read on three several days was suspended and House Bill No. 31 put on its third reading and final passage by the following vote:

Yeas—21.

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| Alderdice. | Hopkins. |
| Bee. | Hudspeth. |
| Buchanan of Bell. | Johnson of Hall. |
| Buchanan of Scurry. | Johnston of Harris. |
| Caldwell. | Lattimore. |
| Collins. | McNealus. |
| Dayton. | Page. |
| Dean. | Parr. |
| Decherd. | Robbins. |
| Floyd. | Strickland. |
| Henderson. | |

Nays—3.

| | |
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| Smith. | Westbrook. |
| Suiter. | |

Absent.

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| Clark. | Harley. |
| Gibson. | McCollum. |
| Hall. | Woodward. |

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and, on motion of Senator Collins, was passed by the following vote:

Yeas—11.

| | |
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| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Johnston of Harris. |
| Caldwell. | McNealus. |
| Collins. | Parr. |
| Floyd. | Strickland. |
| Henderson. | |

Nays—10.

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| Alderdice. | Johnson of Hall. |
| Bee. | Lattimore. |
| Dayton. | Page. |
| Dean. | Smith. |
| Decherd. | Suiter. |

Present—Not Voting.

Robbins.

Absent.

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| Clark. | Hudspeth. |
| Gibson. | McCollum. |
| Hall. | Westbrook. |
| Harley. | Woodward. |

Absent—Excused.

Bailey.

House Bill No. 24.

The Chair laid before the Senate on second reading

H. B. No. 24, A bill to be entitled "An Act to amend Article 6233, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 62, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Madison County, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Decherd, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 24 put on its third reading and final passage by the following vote:

Yeas—22.

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| Alderdice. | Hopkins. |
| Bee. | Hudspeth. |
| Buchanan of Bell. | Johnson of Hall. |
| Buchanan of Scurry. | Johnston of Harris. |
| Caldwell. | Lattimore. |
| Clark. | McNealus. |
| Collins. | Parr. |
| Dayton. | Robbins. |
| Dean. | Smith. |
| Decherd. | Strickland. |
| Henderson. | Suiter. |

Absent.

| | |
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| Floyd. | McCollum. |
| Gibson. | Page. |
| Hall. | Westbrook. |
| Harley. | Woodward. |

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and, on motion of Senator Decherd, was passed finally.

House Bill No. 39.

The Chair laid before the Senate on second reading

H. B. No. 39, A bill to be entitled "An Act to establish and incorporate

the Whitman Independent School District with certain boundaries in Haskell County, Texas, with all the powers and privileges of independent school districts to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school, to issue bonds and declaring an emergency."

On motion of Senator Buchanan of Scurry the bill was laid on the table subject to call.

House Bill No. 40.

The Chair laid before the Senate on second reading

H. B. No. 40, A bill to be entitled "An Act to establish and incorporate the Pinkerton Independent School District with certain boundaries in Haskell County, Texas, with all the powers and privileges of independent school districts to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school; to issue bonds and declaring an emergency."

On motion of Senator Buchanan of Scurry, the bill was laid on the table subject to call.

Executive Session.—Time Set.

Senator McNealus moved that 10 o'clock next Saturday morning, be set as the hour for the Senate to go into executive session for consideration of all nominations by the Governor, including notaries public.

The motion prevailed.

House Bill No. 50.

The Chair laid before the Senate on second reading

H. B. No. 50, A bill to be entitled "An Act to repeal Chapter 29 of the General Laws of Texas passed at the Regular Session of the Thirty-fifth Legislature, the same being 'An Act establishing the West Texas Agricultural and Mechanical College, and declaring an emergency.'"

Senator Buchanan of Scurry, made the point of order that the bill has not been printed either in bill form nor in the Journal and that it can-

not be properly considered or amended without being printed.

The point of order was overruled.

Senator Buchanan of Scurry, made the further point of order that the bill is before the Senate on a floor report which is signed by only the chairman of the committee and that such report is not valid.

The point of order was overruled.

Senator Buchanan of Scurry, made the further point of order that House Bill No. 50 has not been considered by a committee of the Senate, but that Senate Bill No. 34 was considered in its stead and therefore the bill cannot be considered by the Senate at this time.

The point of order was overruled.

Senator Sulter moved the adoption of the majority (favorable) committee report.

As a substitute Senator Buchanan of Scurry, moved the adoption of the minority (adverse) committee report.

Senator Sulter moved to table the substitute motion and the motion to table prevailed by the following vote:

Yeas—16.

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|-------------------|---------------------|
| Alderdice. | Hopkins. |
| Buchanan of Bell. | Johnston of Harris. |
| Clark. | McNealus. |
| Dayton. | Page. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Strickland. |
| Henderson. | Sulter. |

Nays—7.

| | |
|---------------------|------------|
| Bee. | Hudspeth. |
| Buchanan of Scurry. | Lattimore. |
| Collins. | Parr. |
| Harley. | |

Present—Not Voting.

Johnson of Hall.

Absent.

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| Caldwell. | McCollum. |
| Gibson. | Westbrook. |
| Hall. | Woodward. |

Absent—Excused.

Bailey.

Action recurred upon the majority (favorable) committee report and the same was adopted by the following vote:

Yeas—19.

| | |
|-------------------|---------------------|
| Alderdice. | Johnson of Hall. |
| Buchanan of Bell. | Johnston of Harris. |
| Clark. | McNealus. |
| Dayton. | Page. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Strickland. |
| Gibson. | Suiter. |
| Henderson. | Westbrook. |
| Hopkins. | |

Nays—7.

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|---------------------|------------|
| Bee. | Hudspeth. |
| Buchanan of Scurry. | Lattimore. |
| Caldwell. | Parr. |
| Collins. | |

Absent.

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| Hall. | McCollum. |
| Harley. | Woodward. |

Absent—Excused.

Bailey.

Senator Buchanan of Scurry, offered the following amendment:

(1) Amend House Bill No. 50 by striking out Sections 1 and 2 in said bill and inserting in lieu thereof the following:

Section 1. That Section 9 of Chapter 29 of the Acts of the Regular Session of the Thirty-fifth Legislature, which Chapter is "An Act to establish a branch of the Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the 98th meridian and north of the 29th parallel," etc., be amended by adding at the end of said Section 9 the following: Provided, that the board of directors of the Agricultural and Mechanical College of Texas shall not begin the construction of said West Texas Agricultural and Mechanical College until September 1, 1918, or as soon thereafter as practical, and further amending said House Bill No. 50 by renumbering Section No. 3 in said bill and numbering said Section as No. 2.

BUCHANAN of Scurry.

Senator Suiter made the point of order that the amendment seeks to amend a law that is now in force without rewriting the Act sought to be amended, which is contrary to the State Constitution.

The point of order was withdrawn.

Senator Clark moved to table the amendment.

Senator Dayton moved the previous question on the motion to table and the passage of the bill to its third reading, which motion being duly seconded, the main question was ordered.

Action recurred upon the motion to table and the same prevailed.

The bill was read second time and passed to its third reading.

Senator Buchanan of Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 50 put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—19.

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| Alderdice. | Johnston of Harris. |
| Buchanan of Bell. | Lattimore. |
| Clark. | McNealus. |
| Dayton. | Page. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Strickland. |
| Gibson. | Suiter. |
| Hopkins. | Westbrook. |
| Johnson of Hall. | |

Nays—6.

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| Bee. | Collins. |
| Buchanan of Scurry. | Hudspeth. |
| Caldwell. | Parr. |

Absent.

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| Hall. | McCollum. |
| Harley. | Woodward. |
| Henderson. | |

Absent—Excused.

Bailey.

Senator Clark moved to rescind the vote by which the Senate refused to suspend the constitutional rule to put House Bill No. 50 on third reading and final passage. The motion to rescind prevailed by the following vote:

Yeas—20.

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|-------------------|---------------------|
| Alderdice. | Hopkins. |
| Buchanan of Bell. | Johnson of Hall. |
| Clark. | Johnston of Harris. |
| Dayton. | McNealus. |
| Dean. | Page. |
| Decherd. | Robbins. |
| Floyd. | Smith. |
| Gibson. | Strickland. |
| Harley. | Suiter. |
| Henderson. | Westbrook. |

Nays—7.

Bee. Hudspeth.
 Buchanan of Scurry. Lattimore.
 Caldwell. Parr.
 Collins.

Absent.

Hall. Woodward.
 McCollum.

Absent—Excused.

Bailey.

Senator Clark moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 50 put on its third reading and final passage.

The motion to suspend was lost by the following vote:

Yeas—20.

Alderdice. Hopkins.
 Buchanan of Bell. Johnson of Hall.
 Clark. Johnston of Harris.
 Dayton. McNealus.
 Dean. Page.
 Decherd. Robbins.
 Floyd. Smith.
 Gibson. Strickland.
 Harley. Sulter.
 Henderson. Westbrook.

Nays—7

Bee. Hudspeth.
 Buchanan of Scurry. Lattimore.
 Caldwell. Parr.
 Collins.

Absent.

Hall. Woodward.
 McCollum.

Absent—Excused.

Bailey.

Resolution Signed.

The Chair, President Dean, gave notice of signing and did sign in the presence of the Senate, after the same had been read, the following:

S. C. R. No. 5, providing for removal from the basement of the capitol and distribution among the courts of appeals certain court reports.

House Bill No. 51.

The Chair laid before the Senate on second reading:

H. B. No. 51, A bill to be entitled

"An Act to repeal Chapter 204 of the General Laws passed at the Regular session of the Thirty-fifth Legislature, the same being an Act establishing a Junior Agricultural College east of the 96th meridian and north of the 31st parallel, and declaring and emergency."

The committee report that the bill be not printed was adopted.

Senator Henderson offered the following amendment which was read:

Amend House Bill No. 51 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That Section 1, Chapter 204, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-fifth Legislature of the State of Texas be so amended as to hereafter read as follows:

Sec. 1. There shall be established in this State a Junior Agricultural College, to be known as the "Northeast Texas Agricultural College," said college to be located at Daingerfield, Morris County, Texas.

Sec. 2. The government and direction of policies of said junior college shall be vested in the Board of Directors of the Agricultural and Mechanical College of Texas.

Sec. 3. The said junior college shall rank as a Junior Agricultural College, which, for the purposes of this Act is designated as an institution offering four-year courses, beginning with the junior year of a four-year high school, and extending to and including the sophomore year of a standard four-year college, provided that nothing in this Act shall preclude the offering of such preparatory courses or short courses as may be deemed advisable. The Junior Agricultural College herein established shall be co-educational and instruction shall be offered in agriculture, including the arts and sciences connected therewith; and home economics, including the arts and sciences connected therewith.

Sec. 4. The sum of one hundred and twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary, to erect and to furnish suitable buildings, and to operate and maintain said junior college, is hereby appropriated out of any money in the

State Treasury not otherwise appropriated.

Sec. 5. The importance of the early establishment of the said Junior Agricultural College heretofore provided for in order to increase the educational facilities of the territory designated, and the length of time required to erect adequate buildings for the purposes stated, creates an emergency and an imperative public necessity for this Act to take effect at once, and for the suspension of the constitutional rule requiring bills to be read on three several days, and it is hereby enacted that said rule be suspended and this Act shall be in force from and after its passage, and it is so enacted.

Senator Suiter moved to table the amendment, and the motion to table prevailed by the following vote:

Yeas—16.

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|-------------------|------------------|
| Alderdice. | Hopkins. |
| Buchanan of Bell. | Johnson of Hall. |
| Clark. | McNealus. |
| Dayton. | Page. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Strickland. |
| Gibson. | Suiter. |

Nays—10.

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| Bee. | Henderson. |
| Buchanan of Scurry. | Hudspeth. |
| Caldwell. | Lattimore. |
| Collins. | Parr. |
| Harley. | Westbrook. |

Present—Not Voting.

Johnston of Harris.

Absent.

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| Hall. | Woodward. |
| McCollum. | |

Absent—Excused.

Bailey.

Refusal to Recess.

Senator Collins moved that the Senate recess until 2 o'clock p. m. today.

The motion was lost by the following vote:

Yeas—5.

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| Buchanan of Scurry. | McNealus. |
| Collins. | Parr. |
| Hudspeth. | |

Nays—22.

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| Alderdice. | Henderson. |
| Bee. | Hopkins. |
| Buchanan of Bell. | Johnson of Hall. |
| Caldwell. | Johnston of Harris. |
| Clark. | Lattimore. |
| Dayton. | Page. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Strickland. |
| Gibson. | Suiter. |
| Harley. | Westbrook. |

Absent.

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| Hall. | Woodward. |
| McCollum. | |

Absent—Excused.

Bailey.

House Bill No. 51.

(Pending.)

Action recurred upon pending business, House Bill No. 51, the question being upon the passage of the bill to its third reading.

The bill was read second time and passed to its third reading.

Senator Suiter moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 51 put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—20.

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|-------------------|---------------------|
| Alderdice. | Johnson of Hall. |
| Buchanan of Bell. | Johnston of Harris. |
| Clark. | Lattimore. |
| Dayton. | McNealus. |
| Dean. | Page. |
| Decherd. | Robbins. |
| Floyd. | Smith. |
| Gibson. | Strickland. |
| Harley. | Suiter. |
| Hopkins. | Westbrook. |

Nays—7.

| | |
|---------------------|------------|
| Bee. | Henderson. |
| Buchanan of Scurry. | Hudspeth. |
| Caldwell. | Parr. |
| Collins. | |

Absent.

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| Hall. | Woodward. |
| McCollum. | |

Absent—Excused.

Bailey.

Recess.

At 12:02 p. m. the Senate on motion of Senator Hopkins, recessed until 2 o'clock p. m. today.

After Recess.

(Afternoon Session.)

The Senate was called to order by the Secretary, Jno. D. McCall.

By unanimous consent and on request of Senator McNealus, the Senate stood at ease subject to the call of the Chair.

In The Senate.

President Dean in the Chair at 2:30.

Senate Concurrent Resolution No. 4.

(By unanimous consent.)

The Chair laid before the Senate: S. C. R. No. 4, memorializing Congress with reference to an appropriation for "the cotton tax fund" for the benefit of Confederate soldiers, their widows, etc.

On motion of Senator Dayton House Concurrent Resolution No. 1 was substituted for the pending resolution.

Senator Dayton offered the following amendments which were read and adopted seriatim:

(1) Amend House Concurrent Resolution No. 1 by striking out the word "recent" in the second line.

(2) Amend House Concurrent Resolution No. 1 by striking out the word "said," in eighth paragraph where same appears before the words "monthly allowances" and insert in lieu thereof the word "such."

On motion of Senator Dayton the resolution as amended was adopted.

House Bill No. 54.

The Chair laid before the Senate on second reading:

H. B. No. 54, A bill to be entitled "An Act to amend Section 17, of Chapter 83, approved March 16, 1917, relating to the prospecting and development of minerals in the public lands, so as to appropriate to

the general revenue the proceeds arising from the royalties from oil and gas redeveloped in areas other than land belonging to the public free school fund, the University fund, and the several asylum funds, instead of appropriating said proceeds to the game, fish and oyster funds, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 54 put on its third reading and final passage by the following vote:

Yeas—20.

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|---------------------|---------------------|
| Bee. | Hopkins. |
| Buchanan of Scurry. | Hudspeth. |
| Caldwell. | Johnson of Hall. |
| Clark. | Johnston of Harris. |
| Collins. | Lattimore. |
| Dayton. | Page. |
| Dean. | Parr. |
| Decherd. | Robbins. |
| Floyd. | Strickland. |
| Gibson. | Suiter. |

Nays—1.

McNealus.

Absent.

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| Alderdice. | McCollum. |
| Buchanan of Bell. | Smith. |
| Hall. | Westbrook. |
| Harley. | Woodward. |
| Henderson. | |

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed finally.

Messages from the House.

Hall of the House of Representatives, Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 44, A bill to be entitled "An Act to provide that the Land Office, the Agricultural Department

and such other departments and offices of the State Government as may be from time to time determined by the Governor shall occupy the new departmental building now being erected in the city of Austin at the corner of Brazos and East Eleventh Streets, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

ED GRAHAM,

Acting Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 57, A bill to be entitled "An Act making an additional appropriation of the sum of \$35,000, or so much thereof as may be necessary, to pay the contingent expenses of the Third Called Session of the Thirty-fifth Legislature of the State of Texas, convened August 31, 1917, by proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act to prohibit the bringing of suits in this State to collect delinquent taxes until on and after the 31st day of January, A. D. 1919, and to continue all such suits now pending until such time, and declaring an emergency," with amendments.

S. B. No. 36, A bill to be entitled "An Act creating the Oakland Independent School District in Red River County, etc., and declaring an emergency," with amendments.

H. B. No. 62, A bill to be entitled "An Act to amend Section 7 of Chapter 36, Acts of the First Called Session of the Thirty-fifth Legislature approved May 25, 1917, entitled 'An Act to provide for the organization of a Ranger Home Guard, reducing the appropriation, and declaring an emergency'."

The House concurs in Senate amendments to House Bill No. 31.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 63, A bill to be entitled "An Act to amend Chapter 5 of the Acts of the First Called Session of the Thirty-fifth Legislature, being 'An Act making an appropriation of seven hundred and fifty thousand dollars or so much thereof as may be necessary out of the general revenue or any other available funds, for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing for the pay, transportation and expenses of officers on active duty or while serving on military courts or boards; providing for mileage and per diem and expenses of witnesses appearing before military courts and boards; providing for armory and storage facilities and organizations; providing for training, organizing, mobilizing and subsisting, paying, equipping, preparing for muster into and out of federal service; providing for organizing, maintaining and equipping school of instruction for officers or enlisted men; providing for books and supplies; providing for necessary chemical assistance and labor in storage rooms, arsenals, armories and headquarters; providing for transportation of stores and supplies and laundry and repair of uniforms and equipment for hire, purchase, transportation and subsistence for animals, and for printing, postage, telephoning, telegraphing, and for purchase of stores, supplies, uniforms, arms and equipment; providing the pay for the Adjutant General, chief clerk, stenographer, porter and other additional help in the Adjutant General's Department, printing, postage and other expenses of that department; providing for all other military expenses of whatsoever character; providing how accounts drawn against this fund shall be made out and by whom approved, and declaring an emergency,' and which amendment to said Chapter 5,

provides for the repeal of three hundred and fifty thousand (\$350,000) dollars, as appropriated in Section 1 of said Chapter 5 of the Acts of the First Called Session of the Thirty-fifth Legislature and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 49, A bill to be entitled "An Act giving to the owner of any real estate or interest therein sold under execution, order of sale, deed of trust, mortgage or other contract lien, the right to redeem the same at any time in one year from the date of sale, by paying to the purchaser the amount of the purchase money paid, together with interest thereon; provided that property redeemed under the act shall not again be subject to levy or sale for the debt for which it was sold; providing that from the period of redemption allowed by this Act shall be deducted a period equal to any extension of the debt; providing that the right of redemption shall not be waived; providing that the act shall have no application when the real estate is sold after the final maturity of the debt, or when the debt represents purchase money and less than one-half of the principal of the debt has been paid, or when the debt bears interest at the rate of 6 per cent or less; providing that the right of redemption shall for all purposes be treated and regarded as real estate, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair, President Pro Tem. Dean, had referred after their captions had been read in the presence of the Senate, the following House bills:

H. B. No. 57, referred to the Committee on Finance.

H. B. No. 62, referred to the Committee on Finance.

H. B. No. 63, referred to the Committee on Finance.

H. B. No. 49, referred to the Committee on Civil Jurisprudence.

Bill Signed.

The Chair, President Pro Tem. Dean, gave notice of signing and did sign in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 42 of the General and Special Laws of the First Called Session of the Thirty-fifth Legislature, relating to the State institution for the training of juveniles, as found on pages 92 and 93 of the laws of the First Called Session of the Thirty-fifth Legislature."

House Bill No. 22.—Free Conference Committee Elected.

Senator Henderson made the following motion in writing:

I move that the Senate grant the request of the House for a Free Conference Committee on House Bill No. 22 and that the following be elected on part of Senate:

Hudspeth, Dayton, Gibson, Bee, Caldwell.

The motion was adopted carrying the election of the committee named.

House Bill No. 58.

Senator Suiter asked for unanimous consent to take up House Bill No. 58.

There was objection.

Senator Suiter moved that the regular order of business be suspended, and that the Senate take up, out of its order, House Bill No. 58.

The motion prevailed by the following vote:

Yeas—17.

| | |
|---------------------|---------------------|
| Alderdice. | Johnson of Hall. |
| Buchanan of Scurry. | Johnston of Harris. |
| Clark. | McNealus. |
| Dayton. | Page. |
| Dean. | Robbins. |
| Decherd. | Smith. |
| Floyd. | Suiter. |
| Gibson. | Westbrook. |
| Hopkins. | |

Nays—7.

| | |
|-----------|-------------|
| Bee. | Lattimore. |
| Caldwell. | Parr. |
| Collins. | Strickland. |
| Hudspeth. | |

Absent.

| | |
|-------------------|------------|
| Buchanan of Bell. | Henderson. |
| Hall. | McCollum. |
| Harley. | Woodward. |

Absent—Excused.

Bailey.

The Chair laid before the Senate on second reading:

H. B. No. 58, A bill to be entitled "An Act further defining the powers and duties of the State Normal School Board of Regents as set forth in Chapter 191 of the Acts of the Regular Session of the Thirty-fifth Legislature, which chapter is, 'An Act to provide for the establishment, maintenance and government of two State normal schools; providing for the location of same, and declaring an emergency'; and as set forth in Chapter 197 of the Acts of the Regular Session of the Thirty-fifth Legislature, which chapter is, 'An Act to provide for the establishment, maintenance and government of a State Normal School, to be located at Alpine in Brewster County, Texas, to be known as the "Sul Ross Normal College," and declaring an emergency'; providing for the repeal of all appropriations made for any and all purposes under each of said Chapters 191 and 197; providing for an appropriation to carry into effect the specific powers and duties imposed upon the said State Normal School Board of Regents by the provisions of this Act, and declaring an emergency."

(Senator Henderson in the Chair.)

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

Senator Hudspeth offered the following amendments which were read:

(1) Amend House Bill No. 58 by striking out in Section 1, line 7, all after the word "viz," the following words: "One of said Normal Colleges shall be constructed and ready for occupancy not later than September 1, 1921"; and insert in lieu thereof the

following: "The Sul Ross Normal located at Alpine, Texas, shall be constructed and ready for occupancy not later than September 1, 1919, and the construction of same or the work thereon shall not begin earlier than August 31, 1918."

HUDSPETH.

(2) Amend House Bill No. 58, Section 2, line 7, by striking out all after the word "by" in said line, and section, and insert in lieu thereof the following: "September 1, 1919, but no part of said money shall be spent earlier than September 1, 1918."

HUDSPETH.

Senator Suiter moved to table the amendments, and moved the previous question on the passage of the bill to its third reading, which being duly seconded, the main question was ordered.

The motion to table was lost by the following vote:

Yeas—9.

| | |
|---------------------|----------|
| Alderdice. | Floyd. |
| Buchanan of Bell. | Hopkins. |
| Buchanan of Scurry. | Robbins. |
| Dean. | Suiter. |
| Dechard. | |

Nays—13.

| | |
|------------|-------------|
| Bee. | Hudspeth. |
| Caldwell. | Lattimore. |
| Clark. | Page. |
| Collins. | Parr. |
| Gibson. | Strickland. |
| Harley. | Westbrook. |
| Henderson. | |

Present—Not Voting.

Hall.

Absent.

Dayton.

McNealus.

Pairs Recorded.

Senator Johnson of Hall, (present), who would vote "yea"; Senator McCollum (absent), who would vote "nay."

Senator Johnston of Harris (present), who would vote "yea"; Senator Woodward (absent), who would vote "nay."

Senator Smith (present), who would vote "yea"; Senator Bailey (absent), who would vote "nay."

Action recurred upon the amend-

ments and the same were adopted seriatim.

The bill was read second time and passed to its third reading.

On motion of Senator Sulter, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 58 put on its third reading and final passage by the following vote:

Yeas—23.

| | |
|---------------------|---------------------|
| Alderdice. | Hopkins. |
| Bee. | Johnson of Hall. |
| Buchanan of Bell. | Johnston of Harris. |
| Buchanan of Scurry. | Lattimore. |
| Caldwell. | McNealus. |
| Clark. | Page. |
| Dayton. | Robbins. |
| Dean. | Smith. |
| Decherd. | Strickland. |
| Floyd. | Sulter. |
| Gibson. | Westbrook. |
| Harley. | |

Nays—4.

| | |
|------------|-----------|
| Collins. | Hudspeth. |
| Henderson. | Parr. |

Absent.

| | |
|-----------|-----------|
| Hall. | Woodward. |
| McCollum. | |

Absent—Excused.

Balley.

The bill was laid before the Senate and read third time.

Senator Strickland offered the following amendment:

Amend House Bill No. 58 by inserting in an appropriate place the following: "provided, that any person may enter the Sul Ross Normal who holds a second-grade teacher's certificate or who has completed the eighth grade work in any high school affiliated with the State University."

Senator Decherd made the point of order that the amendment is not germane to the bill, inasmuch as the general laws of the State regulate this matter.

The Chair (Senator Henderson) overruled the point of order.

Senator Sulter moved to table the amendment, and the motion to table prevailed.

The bill was laid before the Senate and, on motion of Senator Sulter, was passed by the following vote:

Yeas—19.

| | |
|-------------------|--------------------|
| Alderdice. | Buchanan of Scurry |
| Buchanan of Bell. | Clark. |

| | |
|------------|---------------------|
| Dayton. | Johnston of Harris. |
| Dean. | Lattimore. |
| Decherd. | Page. |
| Floyd. | Robbins. |
| Gibson. | Smith. |
| Harley. | Sulter. |
| Henderson. | Westbrook. |
| Hopkins. | |

Nays—6.

| | |
|-----------|-----------|
| Bee. | Hudspeth. |
| Caldwell. | McNealus. |
| Collins. | Parr. |

Absent.

| | |
|-------------|-----------|
| Hall. | Woodward. |
| Strickland. | |

Absent—Excused.

Balley.

Pair Recorded.

Senator Johnson of Hall (present), who would vote "yea"; Senator McCollum (absent), who would vote "nay."

Adjournment.

At 4:35 o'clock p. m. Senator Sulter moved that the Senate stand adjourned until 4:45 o'clock today. The motion prevailed.

APPENDIX.

Petitions and Memorials.

Senator Clark offered a petition signed by all of the pages and thirty Senators asking President Pro Tem. Dean for a half holiday for the pages to attend the circus tomorrow.

The Chair granted the holiday.

Special Committee Report.

Senate Chamber,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: Your special committee appointed to investigate who had interlined Senate Bill No. 10, and also to investigate whether or not the House amendments accompanying said bill had been adopted, beg leave to report as follows:

1st. The House amendments had not been adopted.

2nd. That the House amendments

did accompany the bill to the Senate, which should not have been the case.

3rd. We find that the interlineation of the bill occurred in the Senate enrolling room, by the Senate Enrolling Clerk.

4th. We find that there was no intention on the part of the Senate Enrolling Clerk to do any wrong, but the interlineation was made as a direction to some helper in the enrolling room, thinking that the House amendments had been adopted.

5th. That it was an error to send these amendments to the Senate at all, and we recommend that they be returned to the House, and that a copy of this committee report be furnished the House, in order that they may know the facts connected with this circumstance.

6th. That your committee instruct the Enrolling Clerk to enroll the bill as formerly engrossed.

7th. That your committee admonish the clerks in employ of the Senate to refrain from interlining bills in any manner in the future.

DAYTON, Chairman.
JOHNSON of Hall.
SMITH.

Committee Reports.

(Floor Report.)

Committee Room,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 57; A bill to be entitled "An Act making an additional appropriation of the sum of thirty-five thousand (\$35,000.00) dollars, or so much thereof as may be necessary, to pay the contingent expenses of the Third Called Session of the Thirty-fifth Legislature of the State of Texas, convened August 31, 1917, by the proclamation of the Governor, providing how accounts may be approved, and declaring an emergency"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman. Decherd,

Parr, Hopkins, Johnson, Dean, Clark, Caldwell, Johnston of Harris, Westbrook, Page, Bee.

Committee Room,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 58, A bill to be entitled "An Act further defining the powers and duties of the State Normal School Board of Regents as set forth in Chapter 191 of the Acts of the Regular Session of the Thirty-fifth Legislature, which Chapter is 'An Act to provide for the establishment, maintenance and government of two State Normal Schools; providing for the location of same, and declaring an emergency;' and as set forth in Chapter 197 of the Acts of the Regular Session of the Thirty-fifth Legislature, which chapter is 'An Act to provide for the establishment, maintenance and government of a State Normal School to be located at Alpine in Brewster County, Texas, to be known as the 'Sul Ross Normal College,' and declaring an emergency;' providing for the repeal of all appropriations made for any and all purposes, under each of said Chapter 191 and 197; providing for an appropriation to carry into effect the specific powers and duties imposed upon the said State Normal School Board of Regents by the provisions of this Act, and declaring an emergency"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 38 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.
Austin, Texas, Sept. 27, 1917.
Hon. W. L. Dean, President of the Senate.
Sir: Your Committee on Engrossed Bills has had Senate Bill No. 40 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.
Austin, Texas, Sept. 27, 1917.
Hon. W. L. Dean, President of the Senate.
Sir: Your Committee on Engrossed Bills has had Senate Bill No. 44 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.
Austin, Texas, Sept. 27, 1917.
Hon. W. L. Dean, President of the Senate.
Sir: Your Committee on Engrossed Bills has had Senate Bill No. 39 carefully compared and finds the same correctly engrossed.

ALDERDICE, Chairman.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, Sept. 27, 1917.
Hon. W. L. Dean, President of the Senate.
Sir: Your Committee on Enrolled Bills beg leave to report that we have carefully compared Senate Bill No. 10, copy of which accompanies this report, and find the same correctly enrolled, and have this day at 2:50 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Dayton. S. B. No. 10.

An Act to amend Chapter 42 of the General and Special Laws of the First Called Session of the Thirty-fifth Legislature, relating to the State Institution for the Training of Juveniles, as found on pages 92, 93 and 94 thereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That that part of Chapter 42 of the General and Special Laws of the State of Texas enacted at the First Called Session of the

Thirty-fifth Legislature, as found on pages 92, 93 and 94, in so far as the same relates to the State Institution for the Training of Juveniles, be amended so as to hereafter read as follows:

State Institution for the Training of Juveniles.

For the years ending
Aug. 31,
1918. 1919.

| | | |
|--|----------|----------|
| Salary of superintendent, with provisions for himself and family, not to exceed in value \$500 per annum | \$ 2,000 | \$ 2,000 |
| Salary of assistant superintendent.. | 1,200 | 1,200 |
| Salary of accountant | 1,000 | 1,000 |
| Salary of engineer | 900 | 900 |
| Salary of assistant engineer | 600 | 600 |
| Salary of commandant | 1,000 | 1,000 |
| Salary of ten letter teachers .. | 7,200 | 7,200 |
| Salary of fifteen trade teachers.. | 10,800 | 10,800 |
| Salary of seven field instructors .. | 4,200 | 4,200 |
| Salary of seven field instructors, with their wives to be cottage matrons | 5,040 | 5,040 |
| Salary of eight night watchmen .. | 4,800 | 4,800 |
| Salary of sanitary officer and druggist | 720 | 720 |
| Salary of physician furnishing own consultation | 1,200 | 1,200 |
| Salary of chaplain and record keeper | 720 | 720 |
| Salary of dentist.. | 600 | 600 |
| For support and maintenance not otherwise provided for herein, including mileage and per diem of board of managers or trustees | 80,000 | 85,000 |

| | For the years ending Aug. 31, | |
|---|----------------------------------|-----------|
| | 1918. | 1919. |
| Books and school supplies | \$ 1,200 | \$ 1,200 |
| Postage and express | 1,000 | 1,000 |
| Medical and hospital supplies and equipment | 1,500 | 1,500 |
| Discharge and transportation.. | 6,000 | 6,000 |
| Printing plant maintenance... | 250 | 250 |
| Insurance | 2,500 | 2,500 |
| First deep well.. | 8,000 | |
| Central school building | 37,500 | |
| Remodeling and fireproofing Lanham Building | 10,000 | |
| Common kitchen and dining room quarters.. | 10,000 | |
| Modern equipment for common kitchen, dining hall and commissary | 2,500 | |
| Completion of main heating system | 2,000 | |
| Farm implements | 2,000 | 2,000 |
| Sewage disposal plant | 5,000 | |
| General repairs.. | 2,500 | 2,500 |
| Silo | | 500 |
| Remodeling and fireproofing Juvenile and Middle Buildings.. | 10,000 | |
| Totals..... | \$223,930 | \$144,430 |

Sec. 2. Provided, that the per diem of the Board of Managers shall be \$5 for each member of the Board for each day while actually engaged in their official duties including time actually spent in travel, if any.

Sec. 3. Provided, that the sum of ten thousand dollars (\$10,000) is hereby appropriated for each year beginning September 1, 1917, and September 1, 1918, out of the proceeds of the sale of all products raised or manufactured by this institution and from such funds as are received as compensation for labor performed outside of the Institution by any of the inmates of the same; that a full and complete accounting of such expenditures shall be filed with the Comptroller, and that all proceeds over and above ten thou-

sand dollars (\$10,000) for each year, shall be deposited in the State Treasury.

Sec. 4. The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein and no expenditure shall be made, nor shall any obligations be incurred which added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes except under the provisions provided for in Article 4342, of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

Sec. 5. The fact that the appropriation bill for this Institution was passed at the First Called Session of the Thirty-fifth Legislature, and that there are errors in enrolling same and that it is essential for the continuation of said school and the immediate repair of the buildings, that these corrections be made and this bill be amended as here indicated, creates an emergency, and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be enforced from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: Your Committee on Enrolled Bills beg leave to report that we have carefully compared Senate Concurrent Resolution No. 5, copy of which accompanies this report, and find the same correctly enrolled and have this day at 2:50 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Lattimore.

S. C. R. No. 5.

Be it resolved by the Senate of Texas, the House of Representatives concurring:

Whereas, There are in the vaults in the basement of the Capitol Building at Austin, Texas, large quantities of the Courts of Civil Appeals Reports and of the Supreme Court Reports; and of the Appellate Courts; and

Whereas, Many of these volumes are needed to complete the libraries of the various Appellate Courts of this State; now therefore, be it

Resolved, That upon a request made

by the three judges of any such Appellate Court of the Secretary of State. such Secretary of State shall forward to such court, free of charge, except that freight or express charges shall be paid by the consignee, any of such volumes on hand which may be needed to complete the library of such court or any of the judges thereof.

Committee Room,
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: Your Committee on Enrolled Bills beg leave to report that we have carefully compared Senate Bill No. 17, copy of which accompanies this report, and find the same correctly enrolled and have this day at 2:30 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Bailey.

S. B. No. 17.

An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions, or governing authority, in regard to the question of the adoption of charters or amendments thereto; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That each charter, and each amendment to a charter, adopted by any city of more than five thousand inhabitants in this State, or where such city has amended or attempted to amend or adopt such charter, since the enactment of Chapter 147, Acts of the Regular Session of the Thirty-third Legislature, 1913, and all proceedings had with reference thereto, are hereby validated, and are hereby declared to be in full force and effect, the same as if adopted in strict compliance with the requirements of said Chapter 147, Acts of the Thirty-third Legislature, and this Act shall take effect and be in force from and after its passage.

Sec. 2. The fact that the Act of the Thirty-third Legislature authorizing

cities of more than five thousand inhabitants to adopt and amend their own charters is a recent one, and its provisions have not been construed by the courts, and that many cities which have undertaken in good faith to incorporate and to adopt and amend their charters may not have complied strictly with all of its provisions and requirements, and that the acts, ordinances and bond issues of such cities may therefore be questioned, although made in good faith and authorized by a majority vote of the qualified voters of such cities, creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after the date of its passage; and it is so enacted.

Committee Room.
Austin, Texas, Sept. 27, 1917.

Hon. W. L. Dean, President of the Senate.

Sir: Your Committee on Enrolled Bills beg leave to report that we have carefully compared Senate Bill No. 9, copy of which accompanies this report, and find the same correctly enrolled and have this day at 2:50 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Bailey, Hudspeth, S. B. No. 9.
Bee, Buchanan of
Scurry, Woodward.

"An Act creating an express lien in favor of the State of Texas on all public free school land, University land, and the several asylums land for the use and benefit of the public free school fund, the University fund, and the several asylums funds for the purpose of securing the payment to said funds of all unpaid purchase money and interest thereon due and to become due upon all the said lands which have heretofore been sold and which may hereafter be sold so long as any portion of the principal or any portion of the interest thereon remains unpaid; also authorizing the Commissioner of the General Land Office on behalf of the State of Texas to transfer the indebted-

edness due to said funds and the lien held upon said land for the benefit of said funds to secure the payment of the principal and interest to such person, firm or corporation, or for all sums due upon said land, and providing that the person, firm or corporation, that may pay said indebtedness shall be subrogated to all the rights, liens and remedies held and enjoyed by the State and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. For the purpose of securing the payment of all principal and interest now due and that which may hereafter become due upon any former sale, or upon any sale that may hereafter be made by the State of any public free school land, University land and the several asylums land, the State shall have an express lien for the use and benefit of the fund to which the land belongs in addition to any right and remedy that it now has for the enforcement of the payment of any principal or interest that may become due and be unpaid.

Sec. 2. If the owner of any land mentioned in this Act should consent for any person, firm or corporation "or the Federal Farm Loan Bank" to pay to the State the principal and interest due upon any obligation given for any land included in this Act, and such person, firm or corporation "or the Federal Farm Loan Bank" should make such payment, the Commissioner of the General Land Office shall be authorized upon the written request of such owner duly acknowledged in the manner required for the conveyance of real estate coupled with an affidavit of ownership to execute, acknowledge and deliver a written transfer of the indebtedness held by the State to such person, firm or corporation or the Federal Farm Loan Bank as may be authorized to receive the transfer; provided, if the land claimed by the one representing himself to be the owner, should be held under such evidence of title as the law or rules of the General Land Office will not authorize or permit to be filed in said Land Office, then and in that event, the said Commissioner may, for the purpose of executing the

assignment or transfer herein provided for admit the owner to be such person, firm or corporation or the Federal Farm Loan Bank paying the indebtedness shall admit to be the owner, and upon such admission the instrument of transfer shall be executed; provided further, that nothing herein shall be construed to change in any particular whatever, the law or rules that obtain in the General Land Office relative to titles to land and the issuance of patents thereon.

Sec. 2a. Provided that no transfer of the State's lien or debt be made until the land, which is security for said lien or debt has been occupied for the full period of time, and in the manner as provided by law.

Sec. 3. Any person, firm or corporation or the Federal Farm Loan Bank that shall pay to the State the balance due upon any land included in this Act at the request of the owner as provided herein, shall be subrogated to all the rights, liens and remedies held by the State to secure and enforce the payment of the amount of principal and interest so paid to the State.

Sec. 4. The fact that owners of public lands can not now obtain benefits from the Federal Land Bank, and that there is no law authorizing the transfer of an indebtedness held by the State of Texas to persons, firms or corporations furnishing funds to take up the unpaid interest and purchase money therefor, creates an emergency, and an imperative public necessity exists requiring that the constitutional rule requiring that bills be read on three several days in each house of the Legislature be suspended, and that this Act take effect from and after its passage, and it is so enacted.

TWENTY-SECOND DAY.

Senate Chamber,

Austin, Texas,

Thursday, Sept. 27, 1917.

The Senate met at 4:45 o'clock p. m. pursuant to adjournment, and was called to order by President, Dean.

The roll was called, a quorum being present, the following Senators answering to their names: